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Populations Displaced:

An Overview of Refugees and Forcibly Displaced People Today

Notes for a talk at Bielefeld University

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**Populations Displaced:
An Overview of Refugees and Forcibly Displaced People Today
Notes for a talk at Bielefeld University**

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[The changes in the global geo-political landscape of the nineties have profound consequences for the international humanitarian regime. Describing the ways in which his own and other non-government agencies have responded to refugee crises in recent years, the author draws conclusions for future actions by non-state actors. The author of this article, an Australian, was the director for the Asia-Pacific region of Jesuit Refugee Service during the eighties. During the nineties he has been based in Rome as international director of the same international humanitarian agency which is at work in over 40 countries.]

In this seminar I intend to give an overview of the refugees and the forcibly displaced populations today, to paint a picture of the forces affecting their lives and to trace the recent developments in humanitarian action on their behalf. I speak from within my competence as director of an international non government organisation (NGO) and will give examples that arise from the experiences of the agency to which I belong.

NGOs are not as juridically bound by mandates as intergovernmental bodies such as the United Nations High Commissioner for Refugees (UNHCR), whose actions are controlled both by international Conventions, as well as by the dictates of actual governments. Nonetheless, the need to be clear about our own identity and accountable to both clients and donors, makes NGOs quite sensitive to the appropriateness of our own mandates in a dramatically changing world.

The International Humanitarian Regime

Immediately after the Cold War concluded, there were quite new approaches by Western governments to humanitarian crises. The West was moved by a spirit of triumphalism. A "New World Order" was promised, which would extend democracy and indeed respect of human rights, throughout the world.

Moreover, the Security Council members, and other nations also, were ready to intervene militarily in civil wars for substantially humanitarian objectives. Witness the April 1991 initiative to create 'Safe Havens' for Kurds in northern Iraq, the January 1992 creation of UNPROFOR for former Yugoslavia and the December 1992 deployment of US troops in Somalia as part of the United Task Force operation. For President Bush, humanitarian intervention (with Security Council sanction) was an example of the 'New World Order'.

On the structural levels there were changes in the humanitarian system. In April 1992 UNDRO (Disaster Relief) was replaced by DHA (Department of Humanitarian Affairs) and in the same month, ECHO (European Commission Humanitarian Office) was born, the largest single funding source for humanitarian agencies.

That optimistic spirit evaporated in the latter half of 1993 as a result of the more confrontational approach of UNOSOM, when the 18 US troops were killed and their bodies paraded through Mogadishu, a scene relayed around the world by TV. By March 1994 the US was out of Somalia with a resolve never again to be embroiled in African conflicts; and only to be involved when US interests were clear and when there was a clear line of command separate from UN structures. Rwanda broke on 6th April 1994. 470 UNAMIR troops were left unaided until 12 weeks later, by which time 800,000 lives had been lost in the genocide.

Less than a year ago, Mr. Clinton was in Africa vowing "Never again". He admitted to the failure of the "international community" in Rwanda. He promised "to increase our vigilance and strengthen our stand against those who would commit such atrocities in the future". Yet now in Sierra Leone the unimaginable is again occurring. The rebel force is a vicious, non-ideological group of thugs, opposed only by a Nigerian-led West African force. They cannot possibly do the job without sustained financial, logistical and political support from the countries which control such resources. Yet the United States contributed \$US 1.3 million in the current year to this effort; enough to support the operation for two days at the most. Who is ready to oppose violence today and come to the rescue of its victims?

After the Cold War: the new wars

By most reckoning the world should now be a more peaceful place. The Cold War is over. Conflicts between sovereign states are few. Regional conflicts like those once witnessed in Indochina, Mozambique and Central America are no longer fanned into flames by super-power conflicts. And a global

nuclear meltdown seems unlikely - despite last year's nuclear muscle-flexing on the Subcontinent.

Much energy was spent in the late 80s and early 90s on resolving old conflicts and on establishing democracy, such as in Namibia, Cambodia, Mozambique, Ethiopia, Angola, Afghanistan, South Africa. Since the early nineties there have also been many efforts to diminish the numbers of refugees, principally by sending them home, often long before the time for return is ripe.

Yet paradoxically, intense new conflicts are breaking out almost uncontrollably within national borders. SIPRI (International Peace Research Institute) listed 25 wars in 1997, adding 4 African conflicts (Burundi, Congo Brazaville, Congo Kinshasa, Senegal) to its official list. The new conflicts in Angola, Kosovo, the Democratic Republic of Congo must be added for 1998. Often an underlying key to these conflicts is identity. Differences over territory, religion and ethnicity escalate into sharp violence. Moreover, in 9 cases out of 10, the victims of current conflicts are civilians. Angola, Sierra Leone, Burma, Sri Lanka, Sudan, Rwanda, Burundi, the Democratic Republic of Congo and Colombia are still violent countries, deeply caught up in conflict. While Guinea Bissau, Iraq and the former Yugoslavia are poised too close to the edge of violence. Among the most violent wars, SIPRI names Sudan, where 40,000 died since 1983; while the war in Congo (Brazaville) caused between 4,000 and 7,000 deaths just in 1997. Sri Lanka also has an unenviable record: 4,000 dead in 1997 and 40 thousand since 1976. In Algeria, 3,000 are recorded as being killed in 1997, but up to 80,000 since 1992. Afghanistan and Turkey are also high on the list. All these conflicts displace people. Today at least 50 million people world-wide suffer forced displacement.

Most important is the nature of war today. The most obvious feature is that they are 'wild', without rules. There appears to be no concept of respect for international conventions, for human rights. Witness Srebrenica, Sierra Leone, and the inhuman actions of the paramilitary in Colombia.

Certainly provocation to war always exhibits a local colouring, but many of the conditions underlying today's conflicts are global in origin. Ninety percent of those displaced come from the world's least developed regions. Even when as fugitives they manage to cross borders, nearly all remain within the world's least developed regions.

The NGO experience: the new victims of conflict

It is quite surprising to consider the range of activities now undertaken by NGOs in attending to those who are forcibly displaced by today's humanitarian crises. Listing these activities may help us to distinguish the various conditions of displacement. Now we are all citizens of a world in which the ongoing refugee flows need to be queried and understood. Good reflection leads to action, creative and faithful.

Over the past decade, my own small organisation has experienced developments that seem like microcosms of events world-wide. Our mission is to accompany and serve refugees and forcibly displaced people, and to defend their rights. Our field teams in more than forty countries have been in flux, adapting as appropriately as they can to new challenges. Over almost 20 years, the mission of the organisation has not changed, but the way of working has had to adapt dramatically in response to changing circumstances of the forcibly displaced.

The classic work of a refugee agency, namely with refugees in camps and settlements, continues of course. Those who suffer long-term displacement require food, shelter, water, education, teacher training, social services, women's development activities and health clinics. Refugee camps range from small settlements of 50 persons, like those for the Sri Lankan refugees in India, up to camps of 150,000 or more as for the Burundi people in Tanzania. Some refugees exist in prisons patrolled by security forces, as did the Vietnamese and Cambodians in Thailand and Malaysia. Others are hosted within villages in neighbouring countries, as many Liberians were accepted in Côte d'Ivoire and Guinea, or Colombians in Venezuela. Some, like the Karen of Burma have been fighting a war against the majority Burman people for 50 years. Karen people have lived for generations near the Thailand border as refugees. The oldest camps of refugees are perhaps those of the Palestinians of whom approximately 6 million who are effectively still refugees.

The last decade has seen dramatic escalation in the numbers of internally displaced persons - families and groups who do not cross frontiers, and therefore fail to qualify as refugees. In Angola, Burundi, Bosnia, Sudan, Sri Lanka, Colombia and elsewhere, millions are victims of persecution and conflict and forced to abandon their homes and fields. Serving them is often more difficult than accompanying refugees. Too often the conflict is ongoing, their own government is their attacker, people are constantly being moved, and armed groups exist within the displaced populations. No international agency is assigned the task of protecting internally displaced persons.

Moreover, when victims of conflict are being contained within the conflict-affected countries, the scope for responding to their needs is severely reduced, since the international humanitarian system is less able and often less willing to intervene.

Colombia, a country which boasts 1.2 million internally displaced, offers some examples. May I quote some of the explanations given by astute observers.

Francis Deng and Roberta Cohen in their study, *The Forsaken People: Case Studies of the Internally Displaced*, say this of the internal displacement in Colombia:

"At the root of these problems, lie the enormous disparities in the distribution of land and wealth, loss of legitimacy by the government, crisis and ineffectiveness of established institutions, an oligarchic political and social system based on clientism, state use of terrorist methods, breakdown of social relations, the inaccessibility of power for the majority of Colombians, physical absence of the state in many regions, and a highly militarised society."

"The violence is being driven by a complex tangle of forces, including industrial development; the ambition for land, some of which holds rich supplies of minerals and oil; the impending development of a "dry canal", a major highway system for the delivery of goods; the steady march toward a global economy; the lucrative drug trade; and by age-old divisions between rich and poor and the resulting social inequalities."

And the Colombian Catholic Bishops wrote in their pastoral letter, *Displaced by Violence in Colombia*:

"Internal displacement is a phenomenon in which persons and families who are not directly implicated in the fight suffer its grave consequences by finding themselves obligated to move from their places of origin to protect their lives ... If there is any group in Colombia whose human rights have largely been trampled, it is the displaced."

Increased attention is now given to urban asylum seekers, some of whom gain refugee status while others never will. Most asylum seekers who are trying to find a living in foreign cities need at least initial help to survive and to find their way through the system. In London, Rome, Berlin, Bucharest, Bangkok, Phnom Penh, Kuala Lumpur, Nairobi, Johannesburg, Lusaka, Lilongwe, El Paso and ten other big cities, the clientele is surprising similar. Urban refugees need a hot meal, a friendly welcome, scholarships, legal advice and

help with emergency housing. Agencies encourage them to develop community groups and income generating activities. There is also the work of advocating for appropriate protection structures both in administrative procedures and in establishing legal infrastructure.

Many individuals fleeing across borders end up in immigration detention centres, in need of legal counsel and pastoral care. Their detention is at once a symptom of the breakdown in the international system protecting refugees, and an indication of many countries' failure to 'manage' migration. For detainees stress exacerbates any pre-existing social, psychological, spiritual and medical problems. Our own agency is active in detention centres in Los Angeles, Elizabeth (New Jersey), Bangkok, Berlin, the UK and Malaysia. We care for the detainees by visiting them, providing legal or documentation support where possible and useful, in education, health care and nutrition programs, in tracing relatives. Sometimes we can run programs for gaining their release. At other times we advocate for changes in a law under which they are inhumanely detained.

Another activity in which NGOs are acquiring considerable experience, is in accompanying refugees returning home - both in the preparation phase and during their return and reintegration. Post conflict returns, and the rehabilitation and reconstruction that accompany the transition from war to peace, require time, expertise, political will, solid financial support and considerable human resourcefulness. Large repatriations in recent years include to Namibia, Ethiopia, El Salvador, Guatemala, Cambodia, Mozambique and Rwanda. Currently important are the returns of Liberians, Angolans, Rwandans and Bosnians. After any conflict, the processes required for successful reintegration and rehabilitation are long and arduous. Legal and education systems need to be rebuilt and housing and employment created. After war, orphans and widows abound. The deepest work of all, reconciliation and peace-building, takes decades, and starts only when the grief begins to ease.

In the case of imposed return or refoulement, there are roles for independent and informed observers. Even when the return is not actually forced, it is important that standards be observed. In recent years UNHCR appears to have compromised its time honoured standards (that the return be voluntary, dignified and under safe conditions), and thus NGOs have felt compelled to speak out. This has occurred in the case of the Rohingyas returned from Bangladesh to Burma, the Rwandans returned from Tanzania, Achehnese returned to Indonesia from Malaysia, and some cases of Bosnians returned home from Germany.

A rather new phenomenon, at least in its current proportions, and one which deserves a more coherent response, is that of stateless persons. There is a clear link between disputed nationality and forced displacement. Stateless persons suffer the double injury of being denied the right to return to their country of origin and being denied a nationality. Many of the Bhutanese refugees now in Nepal currently are or risk being in this category. There was a significant case-load of Sino-Vietnamese in the Indo-Chinese camps, particularly in Hong Kong, who were certainly stateless. And in the CIS countries a large number of people are left without a state to ensure them their basic human rights. UNHCR is the international body commissioned to implement the provisions of the Convention on Stateless Persons.

The above list describes diverse and in some ways new (at least in their proportions and gravity) situations of forced displacement. Traditional NGOs adjust to these new situations and in some cases new organisations are created for the new needs. Old and new NGOs are engaging in a greater diversity of actions. These will include peace-building, human rights monitoring, prosthesis manufacture and fitting, mine clearance.

Defending Human Rights

Away from the field of direct service, NGOs invest increasing energy in advocacy and the defence of human rights. The link with the protection of refugees is evident. Campaigns, research projects and public education are undertaken to defend the rights of refugees. From their field experience, for example, many NGOs have joined in opposition to the spread small weapons, notably anti-personnel landmines. We speak up for stateless persons and defend the rights of children forced into war. We highlight the decline of protection for refugees in camps, such as in cases when camps are militarised or their civilian nature is not properly controlled; when women are at risk; or when camps are located so that they are vulnerable to cross border attacks. NGOs offer critical comment regarding UNHCR policy and practice, for example, regarding urban asylum seekers, detention of asylum seekers, and procedures for refugee status determination.

To be a refugee

To help you understand better what I am talking about, it is perhaps useful to try to enter into the experience of a forcibly displaced person. To be a refugee is to live at the margins of society, excluded from political or social

importance. The man or woman who is a refugee may one time have been important, once enjoyed a role in life. In a camp of displaced people, each one is a former something: a former farmer, housewife, doctor, husband, minister of state. Each is a person in waiting, dependent on another's decision.

Rejection as a policy

For the refugee there is an intensifying experience of rejection, what Hathaway calls the 'politics of non-entrée'. Many countries' main aim now is containment: to keep refugees at a distance. The unpopularity of migrants is tangible everywhere. "Fortress Europe" is being reinforced to stem a "foreign invasion". Sophisticated mechanisms are being upgraded to keep newcomers out of zones of prosperity. The creation of 'safe havens', readmission agreements, temporary protective status, safe third country lists, summary exclusion procedures at airports, the removal of social benefits for asylum seekers, and the push for repatriation are all instruments of containment. The media, too, are enlisted to protect us from the forcibly displaced, ignoring their sufferings and oversimplifying their struggles. Restrictive migration legislation, common policies regarding asylum requests and the upsurge of extremist anti-foreigner groups all typify Western trends.

But the closure of borders to prevent unwanted refugee influxes is not only a Western phenomenon. Even a country like Tanzania, which had a previously admirable record of admitting refugees, has done so. The sacred principle of voluntary repatriation is being over-ridden: 20 countries expelled refugees from their territory during 1996.

Size, speed and complexity

Sadly, refugee crises have long been a constant in human experience. Throughout human history people have fled violence, armed conflict and persecution. However, in recent years forced migration has assumed new and drastic dimensions. Since 1980, the number of refugees rose from around 5 million to a height of over 18 million in 1993; and remains at close to 14 million today. Whereas through most of the seventies there were hardly 5 countries in which people were internally displaced, by 1998 the number has risen to about 40 countries, and reflects an estimate of some 30 million internally displaced people today.

[As evidence I draw attention to the several graphs, which show rises in:

- (1) numbers of refugees
- (2) numbers of countries where conflict has led to internal

- displacement
(3) total numbers of people in need of humanitarian assistance.]

While forced migration itself is not new, our era is unprecedented in various respects:

Consider the scale, speed and complexity of the recent forced movements of peoples. Our own agency was initiated in 1980 as a response to what was then perceived as a horrifying world crisis. Yet refugee numbers have quadrupled since then, to a peak over the years from 1993-95. Numbers would have climbed still higher, were it not for large-scale forced returns. Some 1.75 million Rwandan refugees were shunted back home to an unresolved situation. Mozambican and Ethiopian returnees have been somewhat more fortunate. Problems still face the Cambodians, Afghans, and Bosnians who have ventured home. But what is frightening is the increased number and intensity of the current conflicts. Last year these numbered between 65 and 70. As a result of the long-running dispute in Sudan, around 3 million people are unable to return home. Angola still sees 1.2 million people displaced. On its own, the Colombian conflict has left over a million people internally displaced.

The complexity of current predicaments is revealed by the confusing new terminology in use. We now distinguish asylum seekers, stateless persons, illegal immigrants, sans papiers, undocumented people and rejected asylum seekers. We also speak of mass expulsions, ethnic cleansing, forced migration, internal displacement, involuntary repatriation and imposed return. Determining who gains official refugee status has also become more and more complex. A person who is recognised as a refugee in Africa may be no more than an asylum seeker in Europe. The Geneva Convention is interpreted more restrictively, but thankfully the OAU (Africa) and Cartagena (Latin America) Conventions are broader and more suited to contemporary conditions.

The speed of the events is sadly exemplified by examples from the Grand Lacs region where there were mass population movements in several directions. Everyone remembers the massacres during the second quarter of 1994 when some 800,000 people were killed in six weeks. Then 1.75 million Hutus moved to neighbouring countries Zaire, Tanzania and Burundi, where they were provided with international assistance. Many organisations invested great energy in setting up projects in the region. In late 1996, around 1.5 million Rwandans were then forcibly returned home in a matter of weeks. The camps in Tanzania were emptied of 500,000 Rwandans in December. But by January 1997 these same camps were again filled, this time by 300,000 Burundians.

The weakening of the nation state

The collapse of national security and the weakening of the nation state are recurring features in countries that experience conflict. Armed conflicts are characterised by fragmented political authority. Forced population displacements, inevitable during and after conflicts, are themselves likely to become a threat to regional, national and personal security. Despite the end of the Cold War and the so-called triumph of democracy, life has become increasingly difficult and dangerous for many populations when the super powers have withdrawn from their former 'stabilising' roles. A number of nation states have effectively collapsed, including Somalia, the former Yugoslavia, Liberia, Sierra Leone and of course, the former Soviet Union. Even the creation of new states - 27 in the last 10 years - is a sign of volatility. In many countries citizens have lost confidence in their own government's ability or will to protect them. In Rwanda, Burundi and Liberia, the apparatus of government is controlled by minority factions that fail to treat everyone equally. When the economy declines or global forces shift the balance of power within a country, governments are tempted to react with force to control their people.

Related to state security of course is the issue of personal security. As we have seen, even in refugee camps few are safe. Military tactics directly target civilians and in many locations there is a total disregard for the Geneva Conventions by warring parties. The proliferation of small arms creates situations of danger for all.

Conclusions

The refugee phenomenon is now truly international and cannot be addressed nation by nation. The movement of peoples is just one aspect of huge global trends, of globalisation. The global market, as well as new transport and information systems, has already eluded control by sovereign states. Since the entire international system of law is based on the system of autonomous nation states, the implications are that refugees can no longer rely fully on governments or even intergovernmental bodies for protection. The numerous examples offered in this article show that complementary means are needed to help protect the growing numbers of people for whom no state shows a concern. Non-state actors begin to assume even formal protection roles.

The non-government organisations need to become even stronger and more central to the international response for the sake of those communities and

individuals now left without defence in the face of conflict. Priority is given to strengthening civil society, especially local human rights and communications organisations, or to supporting local communities which have a concern for human dignity, such as the churches, village organisations and co-operative associations. But all of these local organisations need to be linked through reliable and trustworthy communications to international counterparts, both for their own safety and for their effectiveness.

The example of the international land-mines campaign is revealing. This campaign chose to by-pass the unwieldy and intensely partisan UN process of securing votes for a revised international Convention. Instead, it succeeded to leave a network of new alliances between individuals, non-government movements and governments. Through this alliance, pressure has been exerted even on non-state parties to the conflicts, such as rebel and resistance movements. The same type of campaigns and alliances are needed now to combat many other harmful and inhumane phenomena that create and accompany forced displacement, such as the proliferation of small weapons, the recruitment of children into armies, the trade across frontiers of human persons. In order to fulfil the same mission of service to and protection of the forcibly displaced and the victims of humanitarian crises, non-government organisations now need to extend their services to a wide range of activities.